

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

- 1. Title and its heading:** 9, Health Services
- Chapter and its heading:** 3, Department of Health Services - Child Care Group Homes
- Articles and their headings:**
 - 1, Definitions
 - 2, Certification
 - 3, Administration
 - 4, Program and Equipment Standards
 - 5, Physical Environment Standards(ADHS may add, delete, or modify Articles as necessary.)
- Section numbers:** R9-3-101 through R9-3-506 (ADHS may add or delete Sections as necessary.)
- 2. The subject matter of the proposed rule:**

The current rules for child care group homes are located in 9 A.A.C. 5, Articles 7 through 10. Chapter 5 also includes the rules for child care facilities, more commonly referred to as day care centers. ADHS has observed that having the rules for child care facilities and child care group homes in the same Chapter has resulted in confusion among stakeholders regarding the standards that apply to each. To alleviate this confusion, ADHS intends to repeal the rules for child care group homes in Chapter 5 in a separate rulemaking and to adopt rules for child care group homes in a new Chapter 3 entitled "Child Care Group Homes."

In addition to separating the rules for child care group homes from the rules for child care facilities, this rulemaking will update the standards for child care group homes, will clarify the rules, and will bring the rules into compliance with current rulemaking format and style requirements.

The agency docket number:

RE-002-01
- 3. A citation to all published notices relating to the proceeding:**

None

Arizona Administrative Register
Notices of Rulemaking Docket Opening

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Lourdes Ochoa
Health Program Manager III

Address: Arizona Department of Health Services
Division of Assurance and Licensure Services
Office of Child Care Licensure
1647 East Morten, Suite 230
Phoenix, Arizona 85020

Telephone: (602) 674-4220

Fax: (602) 861-0674

E-mail: lochoa@hs.state.az.us

or

Name: Kathleen Phillips
Rules Administrator

Address: Arizona Department of Health Services
Office of Administrative Rules
1740 West Adams, Room 102
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-mail: kphilli@hs.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

ADHS has not established a timetable.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

1. Title and its heading: 9, Health Services

Chapter and its heading: 5, Department of Health Services - Child Care Facilities

Articles and their headings: 7, Certification of Day Care Group Homes
8, Day Care Group Home Administration
9, Program and Equipment for Day Care Group Homes
10, Activity Areas and Physical Facility Standards for Day Care Group Homes

Section numbers: R9-5-701 through R9-5-1006

2. The subject matter of the proposed rule:

The current rules for child care group homes are located in 9 A.A.C. 5, Articles 7 through 10. Chapter 5 also includes the rules for child care facilities, more commonly referred to as day care centers. ADHS has observed that having the rules for child care facilities and child care group homes in the same Chapter has resulted in confusion among stakeholders regarding the standards that apply to each. To alleviate this confusion, ADHS intends to repeal the rules for child care group homes in Chapter 5 and, in a separate rulemaking, to adopt rules for child care group homes in a new Chapter 3 entitled "Child Care Group Homes." This rulemaking will repeal the current rules for child care group homes in Chapter 5.

The agency docket number:

RE-001-01

Arizona Administrative Register
Notices of Rulemaking Docket Opening

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Lourdes Ochoa
Health Program Manager III

Address: Arizona Department of Health Services
Division of Assurance and Licensure Services
Office of Child Care Licensure
1647 East Morten, Suite 230
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E-mail: lochoa@hs.state.az.us

or

Name: Kathleen Phillips
Rules Administrator

Address: Arizona Department of Health Services
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1740 West Adams, Room 102
Phoenix, Arizona 85007

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

ADHS has not established a timetable.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

1. Title and its heading: 9, Health Services

Chapter and its heading: 6, Communicable Diseases

Articles and their headings: 1, Definitions
3, Control Measures for Communicable and Preventable Diseases
4, AIDS Drug Assistance Program (ADAP)
9, HIV-Related Testing

Section numbers: R9-6-101 through R9-6-104, R9-6-308, R9-6-309, R9-6-323, R9-6-330, R9-6-331, R9-6-360, R9-6-401 through R9-6-410, R9-6-901 and R9-6-902
(ADHS may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

ADHS completed a five-year-review report for 9 A.A.C. 6 in December 1999. The five-year-review report was approved by the Governor's Regulatory Review Council in March 2000. As a result of the five-year review, ADHS intends to propose three separate rulemakings to take the actions proposed in the five-year review. This represents the first of those three rulemakings.

Arizona Administrative Register
Notices of Rulemaking Docket Opening

This rulemaking will amend the general definitions Section within Article 1 and the definitions Sections for Articles 2 and 3 to implement the changes recommended in the five-year-review report. This rulemaking will also repeal the definitions Section for Article 4 that is currently located in Article 1 and replace it with a new definitions Section within Article 4 itself.

In Article 3, this rulemaking will amend the Sections that pertain to sexually transmitted diseases by describing required treatment; eliminating use of several obsolete terms; updating the rules; and conforming the rules to current rulemaking format and style requirements.

ADHS intends to divide the current Article 4 into 2 Articles. The revised Article 4 will include only the rules pertaining to the AIDS Drug Assistance Program (ADAP), and the new Article 9 will include only the rules pertaining to HIV-related testing. Article 4 will be redesignated "AIDS Drug Assistance Program (ADAP)", and the new Article 9 will be named "HIV-Related Testing".

The rules for ADAP will be revised to clarify the rules; to update the program due to changes in drug therapy, HIV-relating testing, and other areas; to add time-frames for the application process; and to conform to current rulemaking format and style requirements.

The rules concerning HIV-related testing, which will be moved to the new Article 9, will be amended to reflect statutory change; to update information in the Exhibits; to reflect changes in HIV-related testing; to clarify the rules; and to conform to current rulemaking format and style changes.

ADHS may add, delete, or modify additional Sections as necessary.

The agency docket number:

RE-005-01

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Christopher Brown
Address: Arizona Department of Health Services
Bureau of Epidemiology and Disease Control Services
3815 North Black Canyon Highway
Phoenix, Arizona 85015

Telephone: (602) 230-5819

Fax: (602) 230-5973

E-mail: cbrown@hs.state.az.us

or

Name: Kathleen Phillips
Rules Administrator

Address: Arizona Department of Health Services
1740 West Adams, Room 102
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-mail: kphilli@hs.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 4, Motor Carriers
Section numbers: R17-4-435, R17-4-435.01, R17-4-435.02, R17-4-435.03, R17-4-436, R17-4-438, and R17-4-439
- 2. Subject matter of the proposed rule:**
The agency will make updated incorporations by reference of the 2000 edition of the 49 CFR to R17-4-435 (Motor Carrier Safety) and R17-4-436 (Hazardous Materials Transportation). A new definition will be added in R17-4-435.01 resetting the gross vehicle weight rating for intrastate-operating tow trucks from the 18,001 pounds to 26,000 pounds. For all other rules in this package, changes will be non-substantive to bring rule provisions to current linguistic and publishing standards subject to approval by the Governor's Regulatory Review Council and the Arizona Secretary of State.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: George R. Pavia
Department Rules Supervisor

Address: Arizona Department of Transportation
Administrative Rules Unit
3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014

Telephone: (602) 712-8446
Fax: (602) 241-1624
E-mail: gpavia@dot.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Oral and written comment may be directed to the officer listed in item #4, Monday through Friday, 8:00 a.m. through 4:30 p.m.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Articles and their headings: 9, Administrative Hearings, Rehearings and Appeal
Section numbers: R17-4-901 to R17-4-913
- 2. The subject matter of the proposed rule:**
As stated in the 5-year review report of R17-4, Article 9, approved by the Governor's Regulatory Review Council on April 4, 2000, the Arizona Department of Transportation, Motor Vehicle Division (Division) is revising Article 9. The revisions will make the Article more clear, concise, and understandable and will update statutory citations. The Division will amend R17-4-901 to R17-4-909 and R17-4-911 to R17-4-913 and will repeal R17-4-910.
- 3. A citation to all published notices relating to the proceeding:**
None

Arizona Administrative Register
Notices of Rulemaking Docket Opening

4. The name and address of agency personnel with whom a person may communicate regarding the rule:

Name: Lynn S. Golder
Hearing Officer II

Address: Arizona Department of Transportation
Motor Vehicle Division
3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014-5017

Telephone: (602) 712-7941

Fax: (602) 241-1624

E-mail: lgolder@dot.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays. Oral comments will be accepted at the location listed in question # 4 between 8:00 a.m. and 5:00 p.m., Monday through Thursday.

6. A timetable for agency decisions or other action on the proceedings, if known:

None known